

SAPONE & PETRILLO, LLP

William S. Petrillo, Esq., Partner
Edward V. Sapone, Esq., Partner

MANHATTAN

40 Fulton Street, 23rd Floor
New York, New York 10038
Telephone: (212) 349-9000
Facsimile: (347) 408-0492
E-mail: ed@saponepetrillo.com

Chase S. Ruddy, Esq., Senior Associate
Michael Vitaliano, Esq., Associate

LONG ISLAND

1103 Stewart Avenue, Suite 200
Garden City, New York 11530
Telephone: (516) 678-2800
Facsimile: (516) 977-1977
E-mail: william@saponepetrillo.com

February 23, 2021

Hon. Brian M. Cogan
U.S. District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: United States of America v. Gregory Altieri
Indictment No.: 20-CR-0249 (BMC)

Dear Judge Cogan:

I am retained counsel to Defendant Gregory Altieri in the above-referenced case. We respectfully ask the Court to adjourn Mr. Altieri's sentencing hearing, and to set a control date in May 2021. The government and I will update the Court in advance of that date.

On December 30, 2020, Mr. Altieri pled guilty to Wire Fraud. On January 21, 2021, Mr. Altieri was interviewed by Probation. Following the interview, we promptly supplied additional documents that were requested. Since then, I have been working on a sentencing memorandum and obtaining exhibits that I will submit for Your Honor's consideration. Mr. Altieri's sentencing hearing is currently scheduled for March 31, 2021.

First, Your Honor may recall that Mr. Altieri is a debtor in a parallel EDNY bankruptcy case pending before the Hon. Robert E. Grossman, docket number 20-BK-71951. I am Altieri's counsel in that case too. The trustee is Kenneth Bernard, and the trustee's lawyer is Joseph Manascalco. There are approximately 84 creditors in that case. Messrs. Bernard and Maniscalco have been working hard to sift through an extraordinary amount of bank accounts and transactions to locate assets with an eye towards eventually identifying which creditors should benefit from a redistribution of the assets located. Those creditors are the victims in the criminal case pending before Your Honor, and Mr. Altieri and I have been assisting the trustee and his lawyer in their investigation.

While the bankruptcy case will not be resolved any time soon, Mr. Manascalco and I have been in regular contact, and he is optimistic that within a few more months he will be able to locate millions of dollars of assets and identify which victims are entitled to a redistribution of monies. This will significantly impact sentencing.

Second, I have been working to discover letters, records and other documents that I need to complete my sentencing submission. Lots of these materials remain outstanding and are not in my possession. They are important, as they go right to the heart of my 3553(a) analysis.

Finally, my wife has been recovering from a serious surgery, and my 17-year-old daughter suffers from an auto-immune deficiency. We hope to be fully vaccinated by the late spring. Once this happens, I can safely participate in a sentencing hearing in person.

I have discussed this application with AUSAs Lindsay Gerdes and Andrey Spector. The government consents to this request.

We appreciate Your Honor's consideration of this request.

Respectfully submitted,

/s/ Edward V. Sapone
Edward V. Sapone

cc: A.U.S.A. Lindsay K. Gerdes
A.U.S.A. Andrey Spektor